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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: J. R. NEESER et al.

Application No.: 09/779,596

Group Art Unit: 1652

Filing Date: February 9, 2001

Examiner: K. Kerr

For: INCORPORATION OF EXOGENOUS LACTIC  
BACTERIA INTO THE ORAL MICROFLORA

Attorney Docket No.:  
88265-406

RESPONSE TO RESTRICTION

RECEIVED

OCT 07 2002

TECH CENTER 1600/2900

Assistant Commissioner for Patents  
Washington, D.C. 20231

Sir:

In response to the office action dated September 12, 2002, please enter the following amendments and comments into the file of this application.

In the Claims

Please cancel claims 11-22 without prejudice.

Please add the following new claims:

23. The method of claim 1 wherein the lactic bacteria that are used for treating or preventing dental caries are administered by way of a composition that contains the lactic bacteria in an amount of  $10^4$  to  $10^9$  cfu/g in order to provide a pH of at least 5.5 when the composition is administered to the oral cavity of a human or animal.

24. The method of claim 23, wherein the composition further contains one or more of milk, fermented milk, or a milk derivative.

25. The method of claim 24, which further comprises a bacteriocin in an amount of about 0.00001 to 50 percent by weight of the composition.

26. The method of claim 25, wherein the composition includes a milk derivative comprising one or more of a caseino-glycomacropeptide, micellar casein, fluorinated micellar